

09/16/03  
16310 U.S. PTO

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.: 5550-23

DATE: September 16, 2003

**PLANT PATENT APPLICATION TRANSMITTAL LETTER  
AND FEE TRANSMITTAL FORM (37 CFR 1.53(b))**

22389 U.S. PTO  
10/663928  
09/16/03

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is:

- ☒ a patent application  
☐ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP)  
of prior application no.: ; filed .  
☒ claiming the benefit of Australian Plant Breeders Rights Application Serial No. 2002/342, filed on November 15, 2003, received by the Australian Plant Breeders Rights Office on November 26, 2002, and accepted on December 13, 2003.  
☐ A Small Entity Statement(s) was filed in the prior application; Status still proper and desired.

Inventor(s) or Application Identifier:

Name: **TODD ANTHONY LAYT**

Address: **SYDNEY, AUSTRALIA**

Entitled: **St. Augustine Grass Named 'B12'**

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 19 pages of Specification (*in duplicate*)
3. ☒ 7 sheet(s) of Color Drawings (*in duplicate*)
4. ☐ Oath or Declaration
  - a. ☐ newly executed (*original or copy*)
  - b. ☐ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 5 Below]
  - c. ☐ **DELETION OF INVENTOR(S)** (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Assignment papers (*cover sheet(s) and document(s)*)
7. ☐ Applicant claims Small Entity Status (see 37 C.F.R. §1.27)
8. ☐ Information Disclosure Statement, PTO-1449, and references cited
9. ☐ Preliminary Amendment
11. ☐ English Translation Document
12. ☐ Certified Copy of
13. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i) (Form PTO/SB/35)
14. ☐ An Associate Power of Attorney

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15. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*  
16. ☐ Other:

Calculation of plant filing fee (37 C.F.R. § 1.16(g):

<u>Fee For Other Than Small Entity</u>	<u>Fee for Small Entity</u>
\$520.00	\$260.00

- ☒ A check in the amount of **\$520.00** to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0220.
- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Karen A. Magri  
Registration No. 41,965

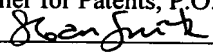
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**CERTIFICATE OF EXPRESS MAILING**

Express Mail Label No. EV 193633460 US

Date of Deposit: September 16, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: M.S. PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Sloan Smith